

## IN THE UNITED STATES COURT OF FEDERAL CLAIMS

JENNER M. TORRENCE,	)	
	)	
Plaintiff,	)	
	)	No. 24-258
v.	)	(Judge Katherine C. Davis)
	)	
THE UNITED STATES,	)	
	)	
Defendant.	)	

**JOINT STATUS REPORT AND PROPOSED BRIEFING SCHEDULE**

Pursuant to Appendix K and Rule 52.2(e) of the Rules of the United States Court of Federal Claims, and the Court's April 29, 2025 order (ECF No. 19), plaintiff, Jenner M. Torrence, and defendant, the United States, respectfully request that the Court establish a schedule for further proceedings in this military pay case.

On September 3, 2024, the Court granted the parties' joint motion to remand Mr. Torrence's claims to the Air Force Board for Correction of Military Records (AFBCMR). ECF No. 12. Mr. Torrence subsequently submitted an application to the AFBCMR in which he requested various corrections to his military record and the AFBCMR denied his application in a decision that it submitted to the Court on April 21, 2025. ECF No. 18. Mr. Torrence now seeks this Court's review of the AFBCMR's decision denying his application for correction of his military record.

Military pay cases are decided on the administrative record. Per RCFC 52.1(c)(3), defendant need not file an answer. *Mission Essential Personnel, LLC v. United States*, 104 Fed. Cl. 170, 176 (2012) (citation omitted) ("[A] motion for judgment on the administrative record brought under RCFC 52.1 can, and in a bid protest, typically does, supplant . . . an answer."); *see also Sharpe v. United States*, 935 F.3d 1352, 1358 (Fed. Cir. 2019); *Walls v. United States*, 582

F.3d 1358, 1367 (Fed. Cir. 2009); *Crumley v. United States*, 133 Fed. Cl. 607, 611 (Fed. Cl. 2017); *Bateson v. United States*, 48 Fed. Cl. 162, 164 (2000), *aff'd*, 64 F. Appx. 244 (Fed. Cir. 2003).

Accordingly, counsel for the parties have conferred concerning a schedule of proceedings in this case and respectfully propose the following schedule for the Court's consideration:

Plaintiff files an amended complaint on or before **Wednesday, June 4, 2025**;

Defendant files the Administrative Record generated during the remand procedures on or before **Wednesday, June 18, 2025**;

Plaintiff files its motion for judgment on the administrative record on or before **Wednesday, July 16, 2025**;

Defendant files its cross-motion for judgment, and response to plaintiff's motion, on or before **Wednesday, August 13, 2025**;

Plaintiff files its response and reply on or before **Wednesday, September 3, 2025**; and

Defendant files its reply on or before **Wednesday, September 24, 2025**.

If the foregoing briefing schedule is acceptable to the Court, the parties respectfully request that the Court issue a scheduling order memorializing the schedule.

Respectfully submitted,

/s/Sean C. Timmons

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